

Message Text

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ACTION EUR-25

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NEA-10 GAC-01 TRSE-00 MBFR-03 SAJ-01 ACDA-19 IO-12

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INFO AMEMBASSY HELSINKI

C O N F I D E N T I A L USNATO 2074

E. O. 11652: GDS 12/31/79

TAGS: PFOR

SUBJECT: CSCE- EXPERTS MEETING ON SWISS PROPOSAL

HELSINKI FOR USDEL MPT

SUMMARY: AT MEETING APRIL 24, POLADS TENTATIVELY AGREED ON VERY GENERAL AGENDA FOR MAY 8-9 MEETING OF LEGAL EXPERTS ON SWISS PROPOSAL FOR SYSTEM FOR PEACEFUL SETTLEMENT OF DISPUTES (TEXT OF AGENDA BELOW). ALTHOUGH AGENDA ONLY MENTIONS JUSTICIABLE DISPUTES, NON- JUSTICIABLE DISPUTES ASPECT MAY ALSO BE RAISED. UK REP INDICATED THAT HIS EXPERT WOULD PREFER AVOID DISCUSSION OF PRECISE DRAFTING POINTS WHEN EXPERTS TURN TO PRINCIPLES. END SUMMARY.

1. FOLLOWING IS TEXT OF AGENDA TENTATIVELY AGREED AT APRIL 24 MEETING. WE DOUBT THERE WILL BE ANY OBJECTIONS TO TEXT.

BEGIN TEXT

I. SWISS PROPOSAL FOR A EUROPEAN SYSTEM FOR THE PEACEFUL SETTLEMENT OF DISPUTES

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RELEVANT LEGAL ASPECTS OF SWISS PROPOSAL CONCERNING JUSTICIABLE DISPUTES, CONCENTRATING ON QUESTIONS CONTAINED IN POLADS 13.

REFERENCES: - POLADS 13 (TO BE CIRCULATED)

- LETTER FROM THE CANADIAN REPRESENTATIVE DATED
10 TH APRIL, 1973

- C- M(73)16, DATED 7 TH FEBRUARY, 1973

IT IS ENVISAGED THAT THE EXPERTS, ON CONCLUSION OF THE ABOVE
AGENDA, WILL MEET TO CONSIDER:

PRINCIPLES GUIDING RELATIONS BETWEEN STATES

REFERENCES: - LETTER FROM THE UNITED STATES DELEGATION DATED
26 TH MARCH, 1973, ATTACHING SUGGESTED REVISED
DRAFT DECLARATION OF PRINCIPLES.

- C- M(73)37, DATED 16 TH APRIL, 1973,
PARAGRAPHS 5 AND 6.

THE MEETING, WHICH WILL BE OPEN- ENDED, WILL TAKE PLACE UNDER
THE AEGIS OF THE POLITICAL COMMITTEE AT SENIOR LEVEL.

END TEXT

2. BELGIAN REP NOTED THAT AGENDA RESTRICTED TO THAT PART OF
SWISS PROPOSAL DEALING WITH JUSTICIABLE DISPUTES AND ASKED WHEN
AND BY WHOM ASPECT DEALING WITH NON- JUSTICIABLE DISPUTES
WOULD BE CONSIDERED. GENERAL VIEW IN COMMITTEE WAS THAT POLADS
SHOULD WORK INDEPENDENTLY ON NON- JUSTICIABLE ASPECT AND THAT
LEGAL EXPERTS SHOULD STICK TO JUSTICIABLE ASPECT. HOWEVER,
SEVERAL DELS LEFT OPEN POSSIBILITY THAT THEIR LEGAL EXPERTS
WILL COMMENT ON NON- JUSTICIABLE ASPECT.

3. AS INDICATED IN AGENDA, EXPERTS WILL TURN TO PRINCIPLES
ASSUMING THAT TIME REMAINS FOLLOWING DISCUSSION OF SWISS
PROPOSAL. UK REP ARGUED THAT THIS DISCUSSION SHOULD BE GENERAL
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AND SHOULD NOT BECOME INVOLVED IN DETAILS OF DRAFTING.
HOWEVER, MOST DELEGATIONS, INCLUDING US, ARGUED THAT MEETING
OF TYPE ENVISAGED BY UK WOULD NOT PROFITABLY UTILIZE
PRESENCE OF EXPERTS.
GOODBY

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